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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

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JOSEPH WOLF, CARMEN WOLF,	:	Case No. 7:23-cv-00558 (PMH)
ON BEHALF OF THEMSELVES AND THOSE	:	
SIMILARLY SITUATED,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
DOLGEN NEW YORK, LLC D/B/A DOLGEN,	:	
	:	
Defendant.	:	
-----	X	

**DECLARATION OF ANDRÉ CARTER IN SUPPORT OF
 DOLGEN NEW YORK, LLC’S RULE 56.1 STATEMENT**

I, André Carter, being of full age, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury as follows:

1. I am over 18 years of age. I am currently employed by Dollar General Corporation as Senior Director, IT Operations and Services, and am authorized to make this declaration on behalf of Defendant Dolgen New York, LLC d/b/a Dolgen (“Dollar General”). I have worked in this role for the company since approximately October 2021. In my capacity as Senior Director, IT Operations and Services, and in the normal course and scope of my duties, I am responsible for the operations of all Dollar General computing systems in production environments.

2. I am aware of the litigation filed in New York with the case caption *Joseph Wolf et al. v. Dolgen New York, LLC d/b/a Dolgen*, bearing case number 7:23-cv-00558, pending in the United States District Court for the Southern District of New York.

3. I state the following facts which are all based on my personal knowledge gained through my employment with Dollar General and my review of the company's business records. These business records were generated in the ordinary and regular course of Dollar General's business and are kept in the ordinary and regular course of Dollar General's business.

4. It is my understanding that, since prior to January 1, 2020, Dollar General's registers (both employee-operated and self-checkout) at its retail stores in New York have been configured to have customer-facing electronic displays. These electronic displays are positioned so the customer can see certain information about the checkout process, described in more detail below.

5. As of May 15, 2024, the vast majority of Dollar General retail stores in New York have customer-facing electronic displays at their registers.

6. From time to time, a customer-facing electronic display may require repair or replacement. Customer damage, hardware problems, and/or software problems are among the issues that lead to Dollar General to repairing or replacing a customer-facing display.

7. Dollar General has a process in place whereby any store in New York that reports the need for a repair to or replacement of its customer-facing display is entered on a list for repair or replacement, as necessary.

8. I have personally examined the records associated with Dollar General store #14321, located at 1334 State Route 17b, White Lake,¹ New York 12786, and can verify this store

¹ The town for this store is sometimes listed as Mongaup Valley.

has a customer-facing electronic display at each register as of May 15, 2024. Additionally, based on my review of transaction-level data and a call to an onsite store associate on May 15, 2024, all electronic displays appeared to be functioning. I also have personally examined the records associated with this store and can verify that this store underwent an upgrade of its registers prior to July 1, 2022. This upgrade likely resulted in each register having a working customer-facing electronic display, meaning that, based on currently-available records, this store has had a working electronic display at each register since at least July 1, 2022.

9. During the checkout process for both employee-operated registers as well as self-checkout registers, when an item is scanned, registers are configured to display the product's name and scan price on the electronic display near the register.

10. At the end of the checkout process, after all products have been scanned and the customer is ready to pay, registers are configured to display the total price owed to complete the sale on the electronic display near the register.

I declare under penalty of perjury under the laws of the United States of America, and pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct. Executed on May 15, 2024.



André Carter